

REMARKS

This is intended as a full and complete response to the Final Office Action dated August 25, 2004, having a shortened statutory period for response set to expire on November 25, 2004. Claims 14-35 remain pending in the application and are shown above. Claims 14-35 stand rejected by the Examiner. Reconsideration of the rejected claims is requested for reasons presented below.

Claims 14-28 and 30-35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of applicant's admitted prior art, *Endo, et al.* '150, *Europe* '440, *Loboda, et al.*, *Zhao*, and newly cited, *Cheung et al.* (US Patent No. 6,287,990) The Examiner has asserted that it would have been obvious of one of ordinary skill in the art to combine the teachings of *Endo et al.* ('150), *Europe* ('440), *Zhao*, and *Loboda et al.*, with *Cheung et al.* to enable formation of the structure with a low-k dielectric layer using an organosiloxane or disilano compound as a source gas and to enable the low k oxide of the combination to be formed. Applicants respectfully respond to this rejection.

Applicant respectfully submit that *Cheung et al.* (US Patent No. 6,287,990) and the pending application 09/270,039 are commonly owned by Applied Materials, Inc. Thus, *Cheung et al.* is not prior art as asserted by the Examiner under U.S.C. §103(c). A statement of common ownership is submitted herewith.

The rejection of claims 14-28 and 30-35 now relies on *Cheung et al.*, and must be withdrawn in view of common ownership.

Claim 29 is rejected (claims 14-28, 30 and 31) rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of applicant's admitted prior art, *Endo, et al.* '150, *Europe* '440, *Loboda et al.*, *Cheung et al.*, and *Zhao* as applied to claims 14-28, 30 and 31 above and further in view of *Subrahmanyam, et al.* The Examiner asserts that it would have been within the scope of one of ordinary skill in the art to combine the teachings of *Endo et al.* '150, *Europe* '440, *Loboda et al.* '947, *Cheung et al.* and *Zhao* and *Subrahmanyam et al.* to achieve reduction of contact resistance by including a nitrogen/hydrogen plasma cleaning.

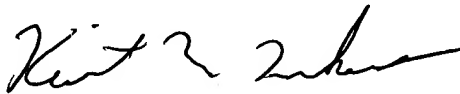
The rejection of claims 19 as applied to claims 14-28 and 30-35, which rejection is based on *Cheung et al.*, must be withdrawn in view of common ownership.

In conclusion, the references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed.

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to the Applicant's disclosure than the primary references cited in the Final Office Action. Therefore, Applicant believes that a detailed discussion of the secondary references is not necessary for a full and complete response to this Final Office Action.

Having addressed all issues set out in the Final Office Action, Applicant respectfully submits that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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